

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-010 State board of licensing. ~~((1) Meetings:))~~ The Washington state geologist licensing board, hereafter called the board, will hold ~~((quarterly))~~ at least one regular public meeting~~((s))~~ each year. ~~((Special))~~ Additional public meetings may be held at such times and places as the board ~~((finds))~~ may deem necessary. ~~((Public notice of all public meetings will be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.~~

~~((2) Rules of order: The latest edition of Robert's Rules of Order will govern the conduct of business at meetings and sessions of the board.~~

~~((3) Officers:))~~ Annually, the board will elect a chair, a vice chair, and a secretary ~~((at its regular quarterly meeting in March.~~

~~((4) Quorum: A quorum at any regular or special meeting or session will consist of four members of the board.~~

~~((5) Licensed geologists: The board will maintain a roster of licensed geologists))~~ for the upcoming year.

AMENDATORY SECTION (Amending WSR 07-13-038, filed 6/13/07, effective 7/14/07)

WAC 308-15-020 Definitions. (1) ~~(("Board" means the Washington state geologist licensing board.~~

~~((2) "Department" means the Washington state department of licensing.~~

~~((3))~~ **"Geologic interpretation," as applied to the practice of geology and its specialties,** is the ~~((iterative))~~ process ~~((by which geologists, using generally accepted geologic principles, determine geologic history, origin and process from))~~ used to evaluate geologic conditions based on review of available information, and observation and testing of rock, soil material and ((water)) groundwater characteristics ((, contents, distribution, orientation, lateral and vertical continuity; and resulting landforms)).

~~((4) "Geological"))~~ (2) **"Geologic work of a character satisfactory to the board"** means that the applicant's qualifying work history consists of professional experience in the practice of geology. ~~((Professional geological work is work performed at a professional level that requires the application of professional knowledge, principles and methods to geological problems through the exercise of individual initiative and judgment in investigating,))~~ Geologic work requires applying sufficient education, knowledge, and experience to geologic problems by investigating, and acquiring surface and subsurface data, and measuring, interpreting, and reporting on the physical ((phenomena)) properties of the earth. Implicit in this definition ((are the recognition)) is the understanding and pertinence of professional responsibility and integrity, and ((the acknowledgment of)) performance under minimal supervision. Professional ((geological)) geologic work specifically does not include routine activities by themselves such as drafting, ((sampling)) sample collection, sample preparation, or routine laboratory work, ((or core logging,)) where the elements of ((initiative,)) scientific judgment and ((decision making are lacking))

interpretation are not required, nor does it include activities which do not use scientific methods to ~~((process and))~~ interpret geologic data. ~~((It))~~ Professional geology work also does not include engineering or other physical sciences where ~~((geological))~~ geology investigation, analysis and interpretation are ~~((minimal or lacking))~~ not used. Professional specialty experience is considered to meet the requirements of this definition.

~~((5))~~ **"Geologist web site"** means the internet web site maintained by the department of licensing.

~~((6))~~ **(3) "National Association of State Boards of Geology" or "ASBOG"** means the organization responsible for developing, publishing and grading National Geologist Licensing Examinations.

~~((7))~~ **(4) "Professional specialty practice of a character satisfactory to the board"** means that the applicant has qualifying work history pertinent to the specialty that meets the standards for professional geologic work defined ~~((above))~~ in subsection (2) of this section. Elements, typical applications, and example project types ~~((of projects))~~, for the engineering geologist and hydrogeologist specialties are ~~((outlined))~~ defined in WAC 308-15-053.

~~((8))~~ **(5) "Reciprocity"** means the issuance of a license without examination as a geologist or specialty geologist to ~~((a person))~~ an applicant who holds a license or certificate of qualifications issued by proper authority of any state, territory, or possession of the United States, District of Columbia, or any foreign country, if the applicant meets the requirements outlined in WAC 308-15-040 for a geologist license, in WAC 308-15-055 for an engineering geologist license, and in WAC 308-15-057 for a hydrogeologist license.

~~((9))~~ **(6) "Year of professional practice"** means at least 1600 hours of work in the practice ~~((during a))~~ of geology within one calendar year. Examples of a "year of professional practice" include 200 eight-hour days or 160 ten-hour days ~~((during a))~~ within one year. Part-time work will be counted on a prorated basis.

~~((10))~~ **(7) "Year of professional specialty practice"** means at least 1600 hours of work in a specialty ~~((during a))~~ within one calendar year, per examples given in subsection ~~((9))~~ **(6)** of this section.

~~((11))~~ **(8) "Geologist in training"** means an individual who has met ~~((all))~~ the educational requirements ~~((outlined))~~ described in WAC 308-15-040(2), and has passed the ASBOG Fundamentals of Geology examination, but does not meet the experience requirements outline in WAC 308-15-040(3).

AMENDATORY SECTION (Amending WSR 06-04-022, filed 1/23/06, effective 2/23/06)

WAC 308-15-030 How do I apply for a geologist license? (1) Review the available options for licensure:

(a) ~~((Examination))~~ If this is your initial geologist license, in WAC 308-15-050; and

(b) ~~((Reciprocity))~~ If you are licensed in another jurisdiction, in WAC 308-15-060.

(2) Complete the board's official application form, and submit ~~((your application according to the directions in the geologist application packet, which is available on the geologist web site and upon~~

~~request from the board office))~~ it to the board office with the nonrefundable application fee.

(3) Verify you meet minimum educational requirements by having your official sealed transcripts sent directly to the board office from your college or university. Official sealed transcripts from schools outside the United States or Canada must be evaluated by a board-approved evaluation service. The evaluation service must send the original evaluation and a copy of the transcripts directly to the board office.

(4) ~~((Solicit))~~ Obtain personal references and verifications of experience in the format and on the forms specified in the application instructions. Verifications must be sent to the board directly from the ~~((originating source))~~ verifier.

(5) If ~~((applying for a license by reciprocity, solicit))~~ you are already licensed in another jurisdiction, obtain verification of your current license or certification and your examination scores on the form provided ~~((in the application packet))~~ by the board. Verification must be sent directly to the board from the issuing jurisdiction.

(6) If you are applying for a specialty license, submit ~~((a))~~ an applicable project list on the forms provided ~~((in the application packet))~~ by the board to show you meet the minimum requirements of the professional specialty practice ~~((of a character satisfactory))~~ to the satisfaction of the board.

(7) If requested by the board, submit one or more reports you ~~((contributed to or solely prepared))~~ signed and stamped.

(8) If you are applying for a license by examination, your complete application, as described in subsection (9) of this section, must be received by the board at least ninety calendar days before the date of the examination.

(9) An application is not complete and will not be considered until all of the following are received by the board:

(a) Application, signed and dated, and without omissions;

(b) Application fee and, if applying for a specialty by examination, the examination fee specified in WAC 308-15-150;

(c) Official sealed transcripts sent directly from ~~((the))~~ your college(s) or ((universities)) university;

(d) Personal references sent directly from the ~~((originators))~~ reference source;

(e) Verification of experience sent directly ~~((from))~~ by the verifiers;

(f) If ~~((applying by reciprocity))~~ you are already a licensed geologist in another jurisdiction, verification of ((exam)) examination scores and license or certification in another jurisdiction;

(g) If you are applying for a specialty license, your applicable project list; and

(h) Other documentation as requested by the board.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-040 What are the minimum requirements to be eligible for a geologist license? ~~((You are))~~ An applicant is eligible for a geologist license ~~((if you submit))~~ when a complete application ~~((according to WAC 308-15-030, demonstrating:~~

~~(1) **Personal references.** You are of good moral character, as attested to by two references.~~

~~(2)) is acceptable to the board, and demonstrates:~~

~~(1) **Education.** ((You have graduated from an accredited college or university with:~~

~~(a)) An applicant shall have graduated from a course of study satisfactory to the board as described in (a) of this subsection or satisfy educational equivalents as determined by the board on a case-by-case basis as described in (b) of this subsection:~~

~~(a) **Bachelor degree program.** An applicant shall have earned a bachelor's degree in geology, engineering geology, hydrogeology ((with at least twenty-four semester/thirty-six quarter hours of upper division geology courses; or~~

~~(b) A degree in a related geological science)), or geological sciences, including successful completion of core classes approved by the board; or have a related bachelor's degree as approved by the board, ((and have either:~~

~~(i) Successfully completed classes in structural geology, mineralogy, petrology and sedimentary geology/stratigraphy. Twenty-four semester/thirty-six quarter hours must be upper division geology courses; or~~

~~(ii) Successfully completed)) which includes successful completion of coursework that is determined by the board to be educationally equivalent in content and rigor to ((the classes listed above. You must submit documentation that demonstrates your coursework is equivalent to the requirements in (b)(i) of this subsection acceptable to the board. Examples of documentation include course syllabi, copies of study materials, and the tables of contents of books used in the course.~~

~~(3)) that of a geological sciences degree program.~~

~~(b) **Educational equivalency:** The board may review and approve unique combinations of educational equivalents to a bachelor's degree. This may include advanced study pertinent to geology, nonmatriculated coursework, practical seminars, and/or on-the-job training acceptable to the board.~~

~~(2) **Experience.** ((You)) An applicant must have at least five years of ((professional geological)) geologic experience satisfactory to the board after completing the educational requirements in subsection ((2)) (1) of this section. ((Experience earned prior to meeting the minimum educational requirements will not be considered.)) At least three years of geological experience must be obtained under the supervision of state-licensed geologists or others who, in the opinion of the board, are qualified to have responsible charge, or have been in responsible charge, of the applicant's geologic work. The following may be considered qualifying experience:~~

~~(a) ((Geological)) Geologic research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of geology; ((and))~~

~~(b) Up to two ((years)) years of credit for full-time graduate study in geology, engineering geology, hydrogeology or one of the related geological sciences approved by the board((-~~

~~(4)) ; and~~

~~(c) Applicants with military training or experience will be evaluated by the board on a case-by-case basis to determine if the experience or training meets the licensing requirements.~~

~~(3) **Examination.** ((You)) An applicant must have passed the ASBOG Fundamentals of Geology and the ASBOG Practice of Geology examinations~~

~~((according to WAC 308-15-050,))~~ or another examination acceptable to the board.

AMENDATORY SECTION (Amending WSR 06-04-022, filed 1/23/06, effective 2/23/06)

WAC 308-15-050 What is the examination process to be licensed as a geologist? You must ~~((take))~~ sit for and pass the ASBOG examinations~~((. The examination currently))~~ which consists of two parts: Fundamentals of Geology and Practice of Geology. ~~((Each part of the examination is four hours long. Information on the examination is available on the ASBOG web site.))~~

(1) **Applying for the examination:** You may ~~((either))~~ apply to sit for each section separately or for all sections simultaneously:

(a) (i) Apply to ((take)) sit for the Fundamentals of Geology ((exam after)) examination once you meet the minimum educational requirements ((for licensure, and the Practice of Geology exam after you meet the experience requirements outlined)) established in WAC 308-15-040.

~~((i))~~ (ii) To apply to ((take)) sit for only the Fundamentals of Geology ((exam, you must)) examination, provide the board with ((an)) a completed application((; a certified)), an official copy of your transcripts, ((sent directly from your college or university;)) showing you meet the educational requirements, and the application fee listed in WAC 308-15-150. You do not need to submit employment and experience verification forms or personal references. Once you pass the Fundamentals of Geology examination, you will be enrolled as a geologist-in-training.

~~((ii) After you meet the minimum experience requirements, you may apply for the Practice of Geology examination by submitting the remaining application documents and application fee; or))~~

(b) (i) Apply to sit for the Practice of Geology examination once you meet the experience requirements established in WAC 308-15-040.

(ii) To apply to sit for only the Practice of Geology examination, provide the board completed experience verification forms showing you meet the requirements of WAC 308-15-040. These will be added to the application materials and fee you submitted to sit for the Fundamentals of Geology examination.

(c) Apply to ((take)) sit for both parts of the ASBOG examination ((after)) once you meet all ((either)) licensure requirements outlined in WAC 308-15-040, by submitting a completed license application packet and application fee. A completed application packet must include official transcripts and experience verification forms.

(2) **Fees:** You must submit the application fee with your application prior to the application deadline. Fees are listed in WAC 308-15-150. Following approval of your application you must submit your examination fees directly to ASBOG prior to the deadline specified by ASBOG.

(3) **Special accommodations:** If you ~~((have a disability))~~ need special accommodations, the board will provide accommodations consistent with the Americans with Disabilities Act. You must request special accommodations at least ninety days before the examination date.

(4) ~~((Notification of scoring: The board will notify you by mail of your examination score within ninety days of taking the examination.~~

~~(5))~~ **Failing the examination:** You may apply ~~((to retake the examination))~~ for reexamination by submitting a written request and the administrative fee for reexamination specified in WAC 308-15-150. Once you have been approved for reexamination, you must submit the examination fee directly to ASBOG by the deadline specified by ASBOG.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-053 What are the specialty licenses? The types of specialty licenses are engineering geologist and hydrogeologist.

(1) **Engineering geologist.**

(a) **Elements of the engineering geologist specialty practice.** The practice of engineering geology involves the interpretation, evaluation, analysis, and application of geological information and data ~~((to civil works.))~~, as follows: Geotechnical soil and rock units are designated, characterized, and classified, using standard engineering soil and rock classification systems. ~~((Relationships))~~ Site characteristics are interpreted ~~((between landform development))~~ based on surface landforms, current and past geologic processes, ~~((ground and surface water, and))~~ the distribution and strength characteristics of soil and rock ~~((Processes evaluated include both surficial processes (for example, slope, fluvial, and coastal processes), and deep-seated processes (for example, volcanic activity and seismicity))~~, and ground and surface water. Geotechnical zones ~~((or))~~, domains or layers are designated based on soil and rock strength characteristics, common landforms, related geologic processes, or other pertinent factors. Proposed ~~((developmental))~~ land development or modification ~~((s are))~~ is evaluated and, where appropriate, analyzed to ~~((predict potential or likely changes in types and rates of surficial geologic processes))~~ estimate the likely behavior of soil and rock under static and dynamic conditions. Proposed modifications may include such things as vegetation removal, using various types of ~~((earth))~~ materials in construction, applying loads to shallow or deep foundations, constructing cut or fill slopes and other grading, and modifying ground and surface water flow. The effects of surficial and deep-seated geologic processes are evaluated and analyzed to ~~((predict their))~~ estimate the potential effect on public health, public safety, land use, or proposed development.

(b) **Typical engineering geologic applications and types of projects.** Engineering geology is applied ~~((during all project phases,))~~ from conception through planning, design, construction, maintenance, and, in some cases, reclamation and closure. Planning-level engineering geologic work is commonly conducted in response to forest practice regulations, critical areas ordinances, and the State Environmental Policy Act. Typical planning-level engineering geologic applications include timber harvest planning, proposed location of residential and commercial developments and other buildings and facilities, and alternative route selection for roads, rail lines, trails, and utilities. Site-specific engineering geologic applications may include, for example, evaluation of and recommendations for cuts, fills,

and tunnels for roads, trails, railroads, and utility lines; foundations for bridges and other ((drainage)) structures, retaining walls and shoring, dams, buildings, water towers, slope stability evaluation and stabilization, channel and shoreline stabilization ((facilities, fish ladders and hatcheries, ski lifts and other structures; landings for logging and other work platforms; airport landing strips)), and other structures; rock bolt systems; rockfall protection systems; blasting; and other major earthwork projects such as for aggregate sources and landfills.

(2) **Hydrogeologist.**

(a) **Elements of the hydrogeologist specialty.** ((In addition to tasks commonly performed by licensed geologists,)) The hydrogeologist license is a specialty license that requires having a geologist license. The practice of hydrogeology involves the study, interpretation, and application of the movement of water and other fluids through geologic materials, the mechanical, physical, chemical, and thermal interaction of fluids with geologic materials, and the transport of energy and chemical constituents by fluids in the subsurface.

(b) **Typical hydrogeologic applications and types of projects.** Typical applications include regional or basin groundwater resource, quantity and quality, characterization, development and protection of groundwater resources, subsurface characterization; design of vadose and saturated zone environmental cleanups; design, chemical testing, and construction supervision of test, production, recharge, injection, remediation, dewatering and resource protection wells; fluid flow and transport modeling; dewatering system design; and evaluation of potential impacts caused by past, current, or future activities on the quantity and quality of groundwater and soil gas, and the range of potential mitigations.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-055 What are the minimum requirements to be eligible for an engineering geologist specialty license? You ((are)) must meet the following requirements to be eligible for an engineering geologist license ((if you submit a complete application according to WAC 308-15-030, demonstrating)):

(1) You hold a current Washington state geologist license; and

(2) You have ((demonstrated)) knowledge of the engineering geology of Washington state; and

(3) You have completed and passed the requirements of advanced study pertinent to engineering geology and acceptable to the board as follows:

(a) Eighteen semester((/)) or twenty-seven quarter credit hours of graded academic coursework; or

(b) Two hundred seventy hours of qualifying seminars or workshops, as acceptable to the board; or

(c) Five hundred forty hours of on-the-job training under the supervision of state-licensed engineering geologists or others who, in the opinion of the board, are qualified to have responsible charge of engineering geologic projects; or

(d) ((A)) Any combination of (a), (b), and/or (c) of this subsection, as acceptable to the board; and

(4) You have five years of professional engineering geology experience after ~~((completion of))~~ completing and passing the advanced study requirements specified in subsection (3) of this section. At least three years of engineering ~~((geological))~~ geology experience must be obtained under the supervision of Washington state-licensed engineering geologists or others who, in the opinion of the board, are qualified to have responsible charge of engineering ~~((geologie))~~ geology projects. The following may be considered qualifying engineering ~~((geologie))~~ geology experience:

(a) Engineering ~~((geological))~~ geology research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of engineering geology; and

(b) Up to two years' credit for full-time graduate study in engineering geology or a curriculum containing equivalent academic content approved by the board; and

(5) You have passed the Washington state engineering geologist specialty examination or ~~((an))~~ another examination acceptable to the board.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-057 What are the minimum requirements to be eligible for a hydrogeologist specialty license? You are eligible for a hydrogeologist license if you submit ~~((a complete))~~ an application ~~((according))~~ to the board, completed in accordance with WAC 308-15-030, ~~((demonstrating))~~ which demonstrates that:

(1) You hold a current Washington state geologist license; and

(2) You have demonstrated knowledge of the hydrogeology of Washington state; and

(3) You have completed and passed the requirements of advanced study pertinent to hydrogeology and acceptable to the board, as follows:

(a) Eighteen semester~~((s))~~ or twenty-seven quarter credit hours of graded academic coursework; or

(b) Two hundred seventy hours of seminars or workshops, as acceptable to the board; or

(c) Five hundred forty hours of on-the-job training under the supervision of state-licensed hydrogeologists or others who, in the opinion of the board, are qualified to have responsible charge of hydrogeologic projects; or

(d) A combination of (a), (b), and (c) of this subsection; and

(4) You have five years of professional hydrogeology experience after ~~((completion of))~~ completing and passing the advanced study requirements specified in subsection (3) of this section. At least three years of ~~((hydrogeologie))~~ hydrogeology experience must be obtained under the supervision of Washington state-licensed hydrogeologists or others who, in the opinion of the board, are qualified to have responsible charge of ~~((hydrogeologie))~~ hydrogeology projects. The following may be considered qualifying ~~((hydrogeologie))~~ hydrogeology experience:

(a) ~~((Hydrogeologie))~~ Hydrogeology research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of hydrogeology; and

(b) Up to two years' credit for full-time graduate study in hydrogeology or a curriculum containing equivalent academic content approved by the board; and

(5) You have passed the Washington state hydrogeology specialty examination or ~~((an))~~ another examination acceptable to the board.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-060 ~~What ((are the minimum requirements for obtaining a geologist or specialty)) qualifications must I meet to obtain a Washington state geologist license by reciprocity if I am already licensed in another jurisdiction?~~ You are eligible for a geologist or specialty license by reciprocity if you submit a ~~((complete application according to WAC 308-15-030, demonstrating:~~

~~((1))) geologist and/or specialty license and examination application to the board which demonstrates:~~

(1) You hold an active geologist license in good standing in a jurisdiction recognized by the board;

(2) You meet the education and experience requirements in WAC 308-15-040 and, if applying for a specialty geologist license, the experience requirements in WAC 308-15-055 or 308-15-057((+)

~~((2) You hold a current geologist, and if applicable, a specialty geologist license, registration, or certification in good standing, issued by a state or jurisdiction approved by the board)); and~~

(3) You have passed the ASBOG Fundamentals of Geology and ASBOG Practice of Geology examinations or an equivalent examination acceptable to the board. If you are applying for a specialty geologist license, you must also verify that you have passed a specialty geologist examination adopted by or acceptable to the board, or take the Washington state specialty geologist examination.

NEW SECTION

WAC 308-15-065 **What happens if I do not complete my application?**

(1) If you fail to complete the licensing process and the board's records show no application activity for five consecutive years, the board will consider your application abandoned. No application activity includes, but is not limited to, failure to submit the required documents within five consecutive years from the receipt of the most recent information submitted.

(2) Your application will be considered abandoned if you fail to provide the board with written communication during five consecutive years indicating you are attempting to complete the licensing process.

(3) Once the board considers your application abandoned, your application will be destroyed, in accordance with the board's record retention schedule in effect at the time. You will then be required to

reapply for licensure, and comply with the licensing requirements in effect at the time of reapplication.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

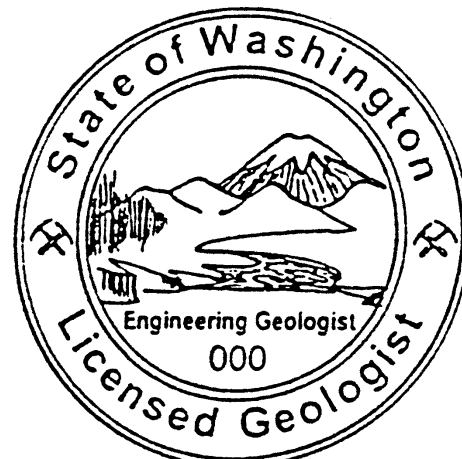
WAC 308-15-070 Do I need a seal? Upon licensure, you must obtain a seal bearing your name, license number, and the legend "State of Washington Licensed Geologist." If you are licensed as an engineering geologist or hydrogeologist, the specialty must be noted on the seal. Seals may be (~~rubber, embossed,~~) physically or digitally produced. Facsimiles of the seal designs authorized by the director are shown (~~below~~) in this section. Deviations to the authorized seal designs are not allowed.

Geologist stamp here



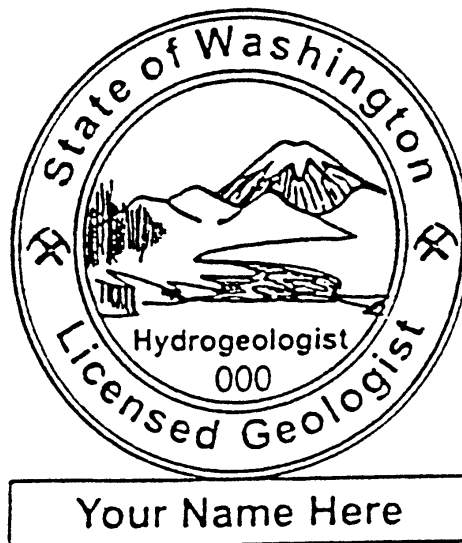
Your Name Here

Engineering geologist stamp here



Your Name Here

Hydrogeologist stamp here



AMENDATORY SECTION (Amending WSR 07-13-038, filed 6/13/07, effective 7/14/07)

WAC 308-15-075 When do I need to ((use)) apply my stamp/seal?

(1) You must apply your stamp/seal, ((sign)) signature, and the date on every final geology or specialty geology ((report, letter report, or document that is)) work product prepared by you or ((prepared)) under your supervision or direction, and submitted to other parties, as part of the public practice of geology.

(a) All figures, maps, and plates bound within final reports or documents do not need to be individually stamped/sealed, signed and dated. You must individually stamp, sign, and date unbound final figures, maps, and plates ((must be individually stamped/sealed, signed and dated)).

(b) Draft geology or specialty geology work ~~((does))~~ products do not have to be stamped/sealed, but ((the)) these types of documents and ((all)) associated figures, maps, and plates must be ((clearly)) marked as draft.

(2) ~~((You must stamp/seal, sign, and date every final geology or specialty geology design and specification that is prepared by you or prepared under your supervision or direction. Draft geology or specialty geology design and specification drawings do not have to be stamped/sealed, but each design and specification must be clearly marked as draft.~~

~~((3))~~ If you stamp((/seal)), sign and date a work ((performed by someone other than yourself)) product prepared by another geologist, you are responsible to the same extent, as if you prepared ((the report, design or specification)) that work product yourself.

(3) The terms "signature" or "signed" as used in chapter 18.220 RCW and this chapter, mean the following:

(a) A handwritten identification or a digital representation of your handwritten identification that represents the act of putting your name on a document to attest to its validity. The handwritten or digital identification must be:

(i) Original and written by hand, or a scanned image of an original, handwritten identification;
(ii) Permanently affixed to the document(s) being certified;
(iii) Applied to the document by the identified licensee;
(iv) Placed across the seal/stamp of the licensee.
(b) A digital identification is an electronic authentication process attached to or logically associated with an electronic document. The digital identification may include a scanned or digitized signature. The digital identification must be:
(i) Unique to the licensee using it;
(ii) Capable of independent verification;
(iii) Under the exclusive control of the licensee using it; and
(iv) Linked to a document in such a manner that the digital identification is invalidated if any data in the document are changed. Final work products prepared pursuant to regulatory compliance shall be stamped consistent with this section and are not considered exemptions under RCW 18.220.190(4).

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-080 ((What)) How do I ((need to know about renewing or reinstating)) renew my license? ((1) ~~Term of license:~~ Your license will be issued for a) The renewal period ((of)) is one year. Your license renewal date is your birthday. You must notify the department in writing of any address changes.

((2) ~~Initial license:~~ Your first license will expire on your next birthday unless your next birthday falls ninety days or less after the issuance date, in which case your first license will expire on the second birthday following the issuance date.

(3) ~~Renewal date:~~ Your license renewal date is your birthday.

(4) ~~Timely renewal:~~ It is your responsibility) You are responsible to make a timely renewal whether or not you receive a renewal notice from the department. ((Your renewal is considered timely if you:

(a) ~~Send the renewal fee to the department on or before your renewal date, as evidenced by the postmark;~~

(b) ~~Deliver the renewal fee to the department before the close of business on your renewal date; or~~

(c) ~~Renew your license over the internet on or before your renewal date.~~

(5) ~~Invalid license:~~) If you fail to renew your license ((according to subsection (4) of this section)), your license is invalid. If your license is invalid, you are prohibited from offering and/or providing professional geologist services until ((the)) your license is renewed or reinstated.

((6) ~~Late fee:~~) If you fail to pay your renewal fee within ninety days ((following)) after your renewal date, you must pay the renewal fee plus a late fee equal to one year's renewal fee at the current rate.

((7) ~~Reinstatement:~~) If you fail to renew your license for a period of five years or more, you may be reinstated upon payment of the current year's renewal fee and a late fee equal to one year's renewal fee at the current rate. In addition to the payment of fees, you must submit the following:

~~((a))~~ (1) A signed statement that you are knowledgeable ~~((with))~~ about the current laws and rules governing geologists in Washington state;

~~((b))~~ (2) A professional resume of your geologist activities during the delinquent period, including licensure in another jurisdiction, with sufficient detail to demonstrate to the board that you have maintained your professional geologist skills; and

~~((e))~~ (3) A detailed explanation of the circumstances surrounding the reason you allowed your license to expire.

NEW SECTION

WAC 308-15-083 How do I obtain retired status? If you are a licensed geologist, you may be eligible to obtain retired status if you are at least sixty-five years of age and have discontinued active professional practice. If granted retired status, your ongoing licensing renewal fees are waived.

(1) To obtain retired status, submit a written request to the board. If the board determines you are eligible, the retired status would become effective on the first scheduled license renewal date that occurs on or after you reach age sixty-five. You do not need to renew an expired license to be eligible for this status. The board will not provide refund of renewal fees if the application for retired status is made and granted before the expiration date of the license.

(2) **Privileges.** In addition to the waiver of the renewal fee, as a licensee in retired status, you are permitted to:

(a) Retain the board-issued wall certificate of licensure.

(b) Use the title "geologist," provided you also use the term "retired," the abbreviation "ret," "emeritus geologist," or similar language in written or verbal communications to indicate you are no longer in active practice.

(c) Provide experience verifications and references for individuals seeking licensure under chapter 18.220 RCW.

(d) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to geologic work you performed before you were granted retired status.

(e) Serve in a professional capacity as a "good Samaritan," as set forth in RCW 38.52.195 and 38.52.1951, provided said work is otherwise performed in accordance with chapter 18.220 RCW.

(3) **Restrictions.** As a retired licensee, you are not permitted to:

(a) Perform any professional geology work, as provided for in chapter 18.220 RCW, unless said activity is under the direct supervision of a Washington state licensed geologist;

(b) Apply your professional seal, as provided for in RCW 18.220.090 to a professional geologic work product.

(4) **Certificate of licensure reinstatement.** As a retired status licensee, you may resume active geologist practice upon written request to the board and payment of the current renewal fee. If approved, your license will be returned to active status by the board, and all rights and responsibilities of an active license status will be in effect. At the date of expiration of the reinstated license, you may choose to either continue active licensure or may again apply for retired status, in accordance with the provisions of this chapter.

(5) **Exemptions.** Under no circumstances shall you be eligible for retired status if your license has been revoked, surrendered, or suspended by the board under chapter 18.220 RCW. If you have been suspended from geologic practice or are subject to terms of a board order at the time you reach age sixty-five, you shall not be eligible for retired status until such time that the board has removed the restricting conditions.

NEW SECTION

WAC 308-15-085 How do I withdraw from active practice? You can withdraw from active practice by requesting in writing your license be placed on either inactive or retired status. Your license must be in good standing before you can request it be placed in inactive status. See WAC 308-15-083 for information about obtaining retired status.

Under inactive status, you are not permitted to perform any professional geology work, as provided for in chapter 18.220 RCW, unless said activity is under the direct supervision of a Washington state licensed geologist who has an active license in the records of the board.

NEW SECTION

WAC 308-15-087 How do I reactivate my inactive license? (1) If you are returning to active status from less than five years of inactive status, submit to the board:

(a) A letter of application requesting reactivation of your license; and

(b) The current renewal fee.

(2) If you are returning to active status after five years of inactive status, submit to the board:

(a) A letter of application requesting reinstatement; and

(b) The current renewal fee plus the late penalty fee.

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-103 How are brief adjudicative proceedings (BAPs) conducted? (1) A brief adjudicative proceeding is an alternative to a formal hearing. You will not be required to testify or be present during the proceeding. A decision on your case will be made based upon review of documents only.

(2) The proceeding will be conducted by a presiding officer, designated by the board, ((conducts brief adjudicative proceedings. The presiding officer)) who is objective and will not have personally participated in ((the)) any decision to issue the initiating document.

((2) The parties or their representatives)) (3) You may present any written documentation that you believe supports your case as well

as a statement or brief addressing why you believe your position in the case is correct. The presiding officer will designate the date by which written documents must be submitted by the parties.

~~((3) The presiding officer may, at the presiding officer's discretion, entertain oral argument from the parties or their representatives.))~~

(4) No witnesses may appear to testify.

~~(5) ((In addition to the record, the presiding officer may employ board expertise as a basis for a decision.~~

~~+6+)) The presiding officer will ((not issue an oral order.)) isue a written initial order within ten days of the ((final)) date for submission of materials ((or oral argument, if any, the presiding officer will enter an initial order)). That initial decision will contain instructions on how you may appeal the decision if you choose.~~

AMENDATORY SECTION (Amending WSR 18-21-028, filed 10/5/18, effective 11/5/18)

WAC 308-15-105 When can a brief adjudicative proceeding((s-)) be used instead of a formal hearing? (1) The board will conduct brief adjudicative proceedings as provided for in RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act. ~~((Brief adjudicative proceedings may be used whenever a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleges violations of chapters 18.220 and 18.235 RCW, administrative rules in Title 308 WAC or any statutes or rules that specifically govern the defined practices of geologists. Brief adjudicative proceedings may also be used in place of formal adjudicative hearings whenever the board issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act.))~~

(2) Brief adjudicative proceedings may be used to determine the following issues ~~((including, but not limited to))~~:

(a) Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;

(b) Whether an applicant is eligible to sit for a professional licensing examination;

~~(c) ((Whether a sanction proposed by the board is appropriate based on the stipulated facts;~~

~~+d+))~~ Whether an applicant meets minimum requirements for an initial or renewal application;

~~((+e+))~~ (d) Whether an applicant has failed the professional licensing examination;

~~((+f+))~~ (e) Whether an applicant or licensee failed to cooperate in an investigation by the board;

~~((+g+))~~ (f) Whether an applicant or licensee was convicted of a crime that disqualifies the applicant or licensee from holding the specific license sought or held;

~~((+h+))~~ (g) Whether an applicant or licensee has violated the terms of a final order issued by the board or the board's designee;

~~((i))~~ (h) Whether ~~((a person))~~ an individual has engaged in false, deceptive, or misleading advertising; or

~~((j))~~ (i) Whether ~~((a person))~~ an individual has engaged in unlicensed practice.

~~((3) In addition to the situations enumerated in subsection (2) of this section, the board may conduct brief adjudicative proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.))~~

AMENDATORY SECTION (Amending WSR 05-01-174, filed 12/21/04, effective 1/21/05)

WAC 308-15-140 What are the rules of professional conduct?

These rules of professional conduct are applicable to all individuals that have been issued a license as a geologist or specialty geologist in accordance with chapter 18.220 RCW.

(1) What are the general responsibilities of a geologist?

(a) A geologist must undertake professional service or render expert opinion only when qualified by training or experience in the technical areas involved.

(b) When serving as an expert or technical witness before a court, commission, or other tribunal, a geologist must express only those opinions founded upon adequate professional knowledge of the matters at issue.

(c) A geologist must stamp, sign and ~~((stamp/seal))~~ date only professional work~~((7))~~ products prepared in the public practice of geology including, but not limited to, maps and reports for which the geologist has direct professional knowledge, and for which the geologist is in responsible charge.

(d) A geologist must not take credit for work conducted by others. When using the results of other geologists' work in the performance of the public practice of geology, a geologist must give due credit to the other geologists by citation or ~~((acknowledgement))~~ acknowledgment.

(e) A geologist must not make false statements or misrepresentations, or permit the publication or use of ~~((the))~~ another geologist's name or geological work in association with ~~((any))~~ fraudulent activities.

(f) A geologist must make full disclosure to ~~((all parties concerned of any))~~ identified affected parties of conflict of interest in projects or properties ~~((on))~~ for which the geologist performs geological work.

(g) If a ~~((geologist's))~~ geologist is consulted and renders a professional ~~((judgment))~~ opinion which is overruled or ~~((not adhered to under circumstances where))~~ ignored, the geologist has ~~((reasonable cause to believe there is an))~~ a duty to inform the affected party where there is present or imminent threat to the public health, welfare, or property~~((7))~~. The geologist must immediately notify the client~~((7))~~ or employer ~~((of the))~~ and document their best efforts to explain possible consequences. If the client~~((7))~~ or employer does not take action in a period of time consistent with the level of danger,

the geologist must use best efforts to notify the apparent appropriate regulatory agency.

(h) A geologist must issue no statements, criticisms, or arguments on geological matters ~~((that are))~~ inspired or paid for by interested parties, unless the geologist indicates on whose behalf the statements are made.

(i) A geologist ~~((must))~~ should continue ~~((the geologist's))~~ professional development throughout ~~((the geologist's))~~ their career, and ~~((must))~~ should also provide opportunities for the professional development of ~~((those individuals under the geologist's))~~ others practicing under their supervision.

(2) What are the specific responsibilities of a geologist to ~~((an employer or))~~ a client or employer?

(a) A geologist must avoid conflicts of interest with a client~~((/))~~ or employer and must disclose the circumstances to the client~~((/))~~ or employer if a conflict is unavoidable.

(b) A geologist must not, during the time of the geologist's retention or employment by a client~~((/))~~ or employer, use information developed for, or the resources of, said client~~((/))~~ or employer for private gain or in any other manner that may conflict with the ~~((client/))~~ client's or employer's interest without the knowledge and consent of the client~~((/))~~ or employer, except as specified in subsection (1)(h) of this section. In the case of former clients~~((/))~~ or employers, a geologist must honor agreements with former clients~~((/))~~ or employers with regard to proprietary information, except as specified by subsection (1)(h) of this section.

(c) A geologist must either engage or advise a client~~((/))~~ or employer to engage other experts or specialists if the ~~((client/))~~ client's or employer's interests are best served by such service.

(d) A geologist has the right to withdraw from service without due notice if:

(i) The geologist knows or has reason to think that the client or employer is involved in illegal or fraudulent practices, or practices dangerous to the public welfare.

(ii) The geologist knows or has reason to think that the continued employment will result in illness or injury to the geologist or the geologist's dependents.

(e) A geologist must not accept compensation concurrently from more than one client~~((/))~~ or employer for the same work on a project, unless the circumstances of payment are fully disclosed and agreed to by all financially interested parties.

~~((e))~~ (f) A geologist must advise the geologist's clients or employers ~~((or clients))~~ when, as a result of ~~((their studies))~~ the geological work, the geologist ~~((believes))~~ considers a project will not be viable.

~~((f))~~ (g) A geologist must negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

~~((g))~~ (h) A geologist must not request, propose or accept professional compensation on a contingent basis under circumstances in which the geologist's professional judgment or ethics may be compromised.

(3) What are the specific responsibilities of a geologist to the board?

(a) A geologist must respond to formal requests of the board within the time frame and in the manner specified by the board in its request.

(b) A geologist((s)), when requested by the board, must present information and assistance to the board in pursuing violations of laws and rules relating to the public practice of geology in ((the state of)) Washington state.

(c) If a geologist has knowledge or reasonable cause to ~~((believe another person or))~~ think an individual or another geologist is in violation of the ((licensing law,)) laws governing the license or practice of geology contained in chapter 18.220 RCW, RCW 18.220.130, 18.235.130 or the related administrative rules, the geologist must present such information in writing to the board.

~~((4) What are prohibited acts? The prohibited acts are found in RCW 18.220.130, 18.220.170 and 18.235.130.))~~

AMENDATORY SECTION (Amending WSR 16-12-091, filed 5/31/16, effective 7/1/16)

WAC 308-15-150 Fees. ~~((1) Suspension of fees. Effective July 1, 2016, a portion of the listed fees shown in subsection (2) of this section are temporarily suspended and replaced with the following:~~

Renewal Fees

Annual renewal fee for geologist	\$40.00
Annual renewal for each specialty	\$50.00
Annual renewal for geologist, with late fee <i>(if paid ninety days or more after due date)</i>	\$80.00
Annual renewal fee for each specialty, with late fee <i>(if paid ninety days or more after due date)</i>	\$100.00

~~The fees set forth in this section shall revert back to the fee amounts shown in WAC 308-15-150 on July 1, 2017.~~

~~(2))~~ **Fees.**

Type of Fee	Amount
Application fees - includes initial license	
Application fee for geologist (applying by examination)	\$100.00
Application fee for each specialty (applying by examination)	\$100.00
Application fee for geologist (applying by reciprocity)	\$200.00
Application fee for each specialty (applying by reciprocity)	\$150.00
Examination fees	
((Fees for the fundamentals of geology and practice of geology examinations are submitted directly to ASBOG))	
Administration fee for reexamination	\$65.00
Specialty examination (hydrogeologist or engineering geologist ((exam)) examination)	\$300.00
Renewal fees	
Annual renewal fee for geologist	\$100.00

Type of Fee	Amount
Annual renewal fee for each specialty	\$85.00
Annual renewal for geologist, with late fee (if paid ninety days or more after due date)	\$200.00
Annual renewal for each specialty, with late fee (if paid ninety days or more after due date)	\$170.00
Miscellaneous fees	
Duplicate ((license or)) wall certificate.....	\$25.00
Certification of license records to other jurisdictions.....	\$45.00
Proctor examination for another jurisdiction.....	\$100.00

In addition to applicable state examination fees, ASBOG may collect, from the applicants, the charges of examination development, examination administration and grading. Terms and conditions for payment of the charges to ASBOG are determined by ASBOG.

AMENDATORY SECTION (Amending WSR 07-13-038, filed 6/13/07, effective 7/14/07)

WAC 308-15-160 What are the board member rules of conduct(~~(--Activities incompatible with public duties Financial interests in transactions.))~~? (1) When a board member (~~(of the board)~~) either owns a beneficial interest in or is an officer, agent, employee, or member of an entity(~~(, or individual that is)~~) engaged in (~~(a transaction involving the)~~) activity that is subject to a board action, the board member shall(~~(--~~

~~(a) Recuse him or herself from the board discussion regarding the specific transaction;~~

~~(b) Recuse him or herself from the board vote on the specific transaction; and~~

~~(c) Refrain from attempting to influence the remaining board members in their discussion and vote regarding the specific transaction.~~

~~(2) The prohibition against discussion and voting set forth in subsection (1)(a) and (c) of this section shall not prohibit the member of the board from using his or her general expertise to educate and provide general information on the subject area to the other members.~~

~~(3)(a) "Transaction involving the board" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the member in question believes, or has reason to believe:~~

~~(i) Is, or will be, the subject of board action; or~~

~~(ii) Is one to which the board is or will be a party; or~~

~~(iii) Is one in which the board has a direct and substantial proprietary interest.~~

~~(b) "Transaction involving the board" does not include the following: Preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a member; or a claim, case, lawsuit, or similar~~

~~matter if the member did not participate in the underlying transaction involving the board that is the basis for the claim, case, or lawsuit. Rule making is not a "transaction involving the board.")~~ state such involvement and be recused from board contact and participation related to that board action, except that the board member may provide information and appear as a fact witness in that action.

(2) When a board member has a business relationship with a respondent who is subject to a board action, the board member shall notify the board and board staff of that relationship. The board member shall either state that the nature of the relationship is such that it will not affect the board member's impartiality and the member will continue to participate in the action or the board member shall announce their recusal from the board action.

(3) Board staff will make a written notation for the case file of any statement by a board member regarding a business relationship with the respondent and the basis for recusal or continuing participation in the board action.

(4) "Board action" means any action on the part of the board, including, but not limited to:

(a) ((A)) An investigation, discussion, decision, determination, finding, ruling, ((or)) order or other regulatory activity within the board's jurisdiction; and

(b) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

~~((5) The following are examples of possible scenarios related to board member rules of conduct. Activities incompatible with public duties; financial interests in transactions.~~

~~(a) **Example 1:**~~

~~The geologist licensing board disciplines licensed geologists in Washington. The board is conducting an investigation involving the services provided by a licensed geologist. One of the members of the board is currently serving as a subcontractor to that geologist on a large project. The board member must recuse himself from any board investigation, discussion, deliberation and vote with respect to disciplinary actions arising from licensed geologist services.~~

~~(b) **Example 2:**~~

~~The geologist licensing board makes licensing decisions on applications for licensure. An applicant for licensure owns a geotechnical consulting business which employs licensed geologists, including one of the board members. The board member employed by the business must recuse himself from any board investigation, discussion, deliberation and vote with respect to his employer's application for licensure.~~

~~(c) **Example 3:**~~

~~The geologist licensing board makes licensing decisions on applications from geologists registered in other states or territories of the United States, the District of Columbia, or other countries. The board can grant licensure if an individual's qualifications and experience are equivalent to the qualifications and experience required of a person licensed under Washington law. An out-of-state applicant is employed as a geologist by a multinational corporation that is planning to build its world headquarters in Washington and has hired a board member's firm as the geologist for the~~

~~project. The board member must recuse himself from any board investigation, discussion, deliberation and vote with respect to the sufficiency of the out-of-state geologist's qualifications and experience.~~

~~(6) Recusal disclosure. If recusal occurs pursuant to subsection (1) of this section, the member of the board shall disclose to the public the reasons for his or her recusal from any board action whenever recusal occurs. The board staff shall record each recusal and the basis for the recusal.))~~

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-15-107	Records required for the brief adjudicative proceeding.
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